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SUBJECT: SRSG DE MISTURA DISCUSSES UNAMI'S PLANS ON ARTICLE
140 AND PROVINCIAL ELECTIONS WITH COUNSELOR COHEN

Classified By: Senior Advisor David Pearce for Reasons 1.4(b) and (d)

USG Participants

Eliot A. Cohen, Counselor
Dr. David F. Gordon, Policy Planning Director
Michael W. Coulter, PDAS DOD
David Pearce, Senior Advisor to Ambassador Crocker
Brigadier General Terry Wolff, NSC
Colonel Steve Ganyard
Susan Riggs, Political Section (notetaker)

UNAMI Participant

SRSG Staffan de Mistura
Siddhartha Chatterjee, UNAMI Chief of Staff
John Mansell, UNAMI Military Advisor
Elpida Rouka, UNAMI Political Officer

¶1. (C) Summary: On February 20, Counselor Eliot A. Cohen met with Staffan de Mistura, Special Representative of the Secretary General (SRSG) to the UN Assistance Mission for

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Iraq (UNAMI), to discuss UNAMI's plans for negotiating disputed internal boundaries and assisting with provincial elections. De Mistura reiterated UNAMI's position on finding "soft" border disputes that could be resolved relatively easily and demonstrate a "win" for both Kurds and Arabs. He believed eventually the hydrocarbons law would come into play with disputed boundaries and both would have to be resolved together. De Mistura also touched on upcoming provincial elections and how UNAMI was able to use the October 1 deadline to galvanize engagement with the GOI on elections preparations and staffing the final eight Governorate Electoral Office (GEO) directors. The SRSG again brought up the request for air assistance, suggesting the Department of Defense consider providing another C-12 aircraft to its in-theater assets, so that there would be greater flexibility in responding more quickly to UNAMI short-fuse movement requests. The Counselor and PDAS Coulter promised to look into the issue. End Summary.

THE SMALL BANG THEORY

¶2. (C) On February 20, Counselor Eliot A. Cohen met with Staffan de Mistura, Special Representative of the Secretary General (SRSG) to the UN Assistance Mission for Iraq (UNAMI). The SRSG opened with a description of the steps UNAMI was taking to resolve disputed internal boundaries. He called it the "small bang theory" because they were starting with four disputed boundaries that, based on 2005 elections results and reversal of Saddam-era decrees, could be easily resolved. He plans to find two areas that would go to the Kurds and two areas that would go to the Arabs so that both sides can claim a "win". He will meet with each side and inform them that to

obtain UN legitimacy, the winners must promise to make certain concessions and the losers must promise not to challenge the decision. De Mistura will also seek the blessing of the 3 plus 1 (Iraqi President and two Vice Presidents plus the Prime Minister). He said if necessary, UNAMI will "embarrass them into action." When the Counselor queried De Mistura on a timeline, the SRSG said they had identified four areas and hope to make the announcement in late March. He also anticipated having eight disputed boundaries resolved before the June 30 deadline, which should show real progress.

13. (C) De Mistura called the current situation "creative and constructive ambiguity." He said the Kurds will publicly state June 30 is the deadline to hold a referendum and even claim that the UN has failed in its mission to prepare for this referendum. The SRSG described this as political gamesmanship and not to believe it because privately the Kurds are telling him they realize a political solution, and one that includes the hydrocarbons law, will be needed and that any referendum would more likely be confirmatory in nature. He believes the Kurds feel their government partners are not on board, their Arab neighbors are against them, and the US is siding with Turkey, so they may be more willing to make concessions. De Mistura believes once the focus turns to Kirkuk, the Hydrocarbons law will become a key issue. He said if the Kurds knew that Kirkuk would not provide them with oil income that would allow for an independent Kurdistan, they would be more willing to stay with Iraq. The Senior Advisor noted that an important emotional/historical issue for the Kurds would be reintegrating Kurdish districts assigned to neighboring governorates in the Baath period, moves that had halved the size of Kirkuk province and reduced its Kurdish population.

PROVINCIAL ELECTIONS: THE HONEYMOON IS OVER

14. (C) The discussion then turned to provincial elections. De Mistura stated that for the Iraqi people, "the honeymoon is over" with the current provincial councils. Services have not been delivered and other organizations, such as the Sadrists, Fadillah, and the Awakening Councils, have stepped up to the plate to fill the void. The SRSG said UNAMI took the October 1 deadline for elections to galvanize their engagement with the GOI on elections preparations. Since September 2007, eight Governorate Electoral Office director positions have remained vacant because of political in-fighting over the selection process. UNAMI has stepped in, with the backing of the Council of Representatives (CoR), to vet candidates for the positions and will pass the most qualified individuals to the CoR for their selection of five who will then be submitted to the Independent High Electoral Commission (IHEC) for a final selection. De Mistura said no one has opposed this idea, even those who stand to lose in the next election. He said the big push now has to be the election law, where issues such as an electoral system based on open or closed lists must be determined. The consensus of the participants in the De Mistura/Cohen meeting was that an open-list system is much preferred.

15. (C) The Counselor stated that he was feeling encouraged by what he had seen, and asked De Mistura if he should be. De Mistura replied that he should be as long as the US and UNAMI coordinated their activities. He also suggested that having key senior officials come out at key points, e.g. near the time when Kirkuk and the hydrocarbons law would need to be settled, would help boost Iraqi resolve. He felt that Secretary Rice's December visit to Kirkuk, at a time when we

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had been driving to defuse an end-of-year constitutional crisis on Article 10, had been crucially important in consolidating the necessary political agreement.

UNAMI HOUSEKEEPING ISSUES

¶16. (C) De Mistura informed the Counselor that he was reviewing the UN Human Rights Report. It was an essential part of his job, and necessary for maintaining the UN's credibility, but he wanted to make sure there was proper emphasis on "where the bad guys are". There should be no hint of moral equivalence between terrorists using disabled persons to commit acts of violence, or militias engaging in torture and murder and Coalition detainees who might be delayed in seeing legal counsel.

¶17. (C) He also described what he termed "an uphill battle" to increase the UNAMI staff by an additional 19 international professionals. Finally, he brought up his need for greater mobility and access to air assets. The ability to move quickly around the country was going to be essential to his ability to do the job, especially on the 140 issue. He noted the UN had requested a small aircraft (C-12) be loaned to UNAMI until the aircraft they had purchased could be ready. He said he understood that "someone in Washington" had said no, which was understandable but he requested that the USG consider adding another aircraft to its current in-theater assets, so that there could be greater flexibility by MNF-I in responding quickly to UNAMI short-fuse movement requests. It would do him no good, he said to bring in extra staff if they were going to be stuck in the Green Zone and unable to do their work. The Counselor and PDAS Coulter said they would look into the matter.

¶18. (U) Counselor Cohen has cleared this cable.

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